

Message Text

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ACTION EA-12

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FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 8063
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E.O. 11652: NA
TAGS: ETRD, JA, XF
SUBJECT: U.S. ANTI-BOYCOTT LEGISLATION AFFECTS GENERAL
MOTORS EXPORTS FROM JAPAN

1. SUMMARY: RECENT USG RULINGS PLACE EXPORTS BY GENERAL MOTORS OVERSEAS (GMO) OF JAPANESE MADE ISUZU AUTOMOBILES UNDER ANTI-BOYCOTT LEGISLATION. UNITED ARAB EMIRATES (UAE) AND QATAR EMBASSIES IN TOKYO REQUIRE NEGATIVE CERTIFICATES OF ORIGIN FOR SHIPMENTS WHICH GMO CANNOT PROVIDE UNDER U.S. ANTI-BOYCOTT LAW. BECAUSE OF CONFLICT GMO WILL BE FORCED TO HALT EXPORTS FROM JAPAN TO THESE COUNTRIES. GMO UNDERSTANDS UAE ACCEPTS POSITIVE CERTIFICATES OF ORIGIN FOR SHIPMENTS FROM UNITED STATES AND ASKED EMBASSY TO DISCUSS PROBLEM WITH EMBASSIES IN TOKYO. BOTH UAE AND QATAR EMBASSIES HAVE REFUSED TO DISCUSS PROBLEM, WHICH PLACES GMO EXPORTS AT SIGNIFICANT DISADVANTAGE. POST REQUESTS INFORMATION AND GUIDANCE FOR FURTHER ACTION. END SUMMARY.

2. GMO JAPAN BRANCH HAS BEEN HANDLING
THE EXPORT OF ISUZU AUTOMOBILES TO THE MIDDLE EAST FOR
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ISUZU MOTORS, A JAPANESE AUTOMOBILE MANUFACTURER IN WHICH GMO HAS A ONE-THIRD INTEREST. SINCE GENERAL MOTORS IS THE WARRANTY GUARANTOR, GMO INFORMED EMBASSY THAT IT UNDERSTANDS RECENT RULINGS BY THE USG PLACE ITS EXPORTS OF JAPANESE AUTOMOBILES UNDER PROVISIONS OF THE U.S. ANTI-BOYCOTT LEGISLATION.

3. ACCORDING TO GMO, U.S. ANTI-BOYCOTT LEGISLATION PROHIBITS A COMPANY FROM PROVIDING NEGATIVE CERTIFICATES OF ORIGIN (I.E., STATING THAT PRODUCTS BEING SHIPPED ARE NOT MANUFACTURED IN OR CONTAIN ANY PARTS MANUFACTURED IN ISRAEL). THE EMBASSIES OF UNITED ARAB EMIRATES (U.A.E.) AND QATAR IN TOKYO REQUIRE, HOWEVER, THAT GMO PROVIDE NEGATIVE CERTIFICATES OF ORIGIN BEFORE THEY WILL APPROVE SHIPPING DOCUMENTS FOR ISUZU AUTOMOBILES. GMO BELIEVES THAT SINCE PROVISION OF THESE CERTIFICATES WOULD PLACE IT IN VIOLATION OF THE ANTI-BOYCOTT LEGISLATION, GMO AND ISUZU WILL HAVE TO CEASE SHIPPING ISUZU PRODUCTS TO THE UAE AND QATAR, WHILE OTHER JAPANESE AUTO PRODUCERS CAN CONTINUE EXPORTS TO THESE COUNTRIES.

4. AT THE REQUEST OF GMO, THE EMBASSY CONTACTED THE UAE AND QATAR EMBASSIES IN TOKYO AND CONFIRMED THAT THEY REQUIRE NEGATIVE CERTIFICATES OF ORIGIN BEFORE THEY WILL APPROVE SHIPPING DOCUMENTS. AN EMBASSY COMMERCIAL OFFICER REQUESTED AN APPOINTMENT WITH THE CONSULAR OFFICER (THE ONLY OFFICER BESIDE THE AMBASSADOR IN BOTH EMBASSIES) TO DISCUSS THE PROBLEM BUT OFFICERS AT BOTH EMBASSIES REFUSED TO MAKE APPOINTMENTS OR ACCEPT TELEPHONE CALLS TO DISCUSS THE PROBLEM.

5. GMO NEW YORK INFORMED GMO-JAPAN THAT THE UAE EMBASSY IN THE UNITED STATES HAS DROPPED ITS REQUIREMENT FOR A LIMITED OFFICIAL USE

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NEGATIVE CERTIFICATE OF ORIGIN AND ACCEPTS A POSITIVE CERTIFICATE OF ORIGIN STATING THAT PRODUCTS ARE WHOLLY PRODUCED IN THE UNITED STATES, WHICH IS ACCEPTABLE UNDER THE ANTI-BOYCOTT LEGISLATION. IT DID NOT PROVIDE ANY INFORMATION ON QATAR REQUIREMENTS IN THE UNITED STATES.

6. GMO-JAPAN ASKED THE EMBASSY TO SEE IF QATAR AND UAE EMBASSIES IN TOKYO COULD BE PERSUADED TO ACCEPT SIMILAR POSITIVE CERTIFICATES OF ORIGIN BUT REFUSAL BY EMBASSIES TO DISCUSS PROBLEM WITH U.S. EMBASSY COMMERCIAL OFFICER MAKES ACTION IN TOKYO IMPOSSIBLE AT THIS TIME.

7. POST WOULD APPRECIATE DEPARTMENT PROVIDING INFORMATION ON CURRENT CERTIFICATE OF ORIGIN REQUIREMENTS BY UAE AND QATAR FOR SHIPMENTS FROM THE UNITED STATES AND SUGGESTIONS FOR FURTHER ACTION. MANSFIELD

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